IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7978 OF 2003

Vijay R. Chothani..... Petitioner.

Versus

The State of Maharashtra & Ors..... Respondents.

Mr. M.B.Kotak i/by M/s. S.B.Kotak & Co.,
for the Petitioner.

Mr. M.A.Solkar, AGP for Respondent - State.

CORAM : S. A. BOBDE, J.

DATED : JANUARY 17, 2005.

P.C.:

The petitioner questions the order of the Consumer Dispute Redressal Commission in Appeal No. 1885 of 1999. This appeal was filed by the petitioner against the order of the District Forum. The District Forum had ordered the petitioner to make payment to the respondent complainant, who had paid amount to the petitioner for purchase of computer. In short, the District Forum has ordered refund of the amount.

2. There seems to be no dispute about the fact that the petitioner, who was the dealer, has not delivered

computer to the complainant inspite of receiving payment. The appellate court has after hearing the petitioner, found no defect in the order of the trial court directing the petitioner to refund the amount. The appellate court has, however, reduced the interest of 18% p.a. to 12% p.a. while upholding the order of the District Forum to refund an amount of Rs.27,529/-.

3. In the circumstances, there is no merit in the petition, which is hereby dismissed.

Sd/-

S. A. BOBDE, J.